IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 9321 of 2004

Between:

Qazi Khaja Basheerudddin S/o Qazi Khaja Saleemuddin
5-5-182/3, Darus-Salam Dalmandi, Hyderabad

..... PETITIONER

AND

The Regional Passport Officer Clock Tower , Secunderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of Mandamus, permitting the petitioner to make an application to the respondent authorities seeking change of date of birth in the passport No. B.5386602 and on making such application the respondent be directed to receive the application and consider in the light of the Circular issued by the Ministry of External Affairs and consequently an interim direction be issued to the respondent to correct the date of birth in the passport from 18/02/1980 to 1/07/1982 and such any other order or orders be passed which deems fit and proper under the circumstances of the case.

Counsel for the Petitioner:MR.MOHD.QASIM

Counsel for the Respondent: MR.A.RAJASHEKAR REDDY (SC for CG)

The Court at the stage of admission made the following ORDER:

Heard the learned counsel for the petitioner and also the learned Standing Counsel for Central Government appearing on behalf of the respondent and at their request, the matter is taken up for final disposal at the stage of admission.

The petitioner obtained passport bearing No.B-5386602 dated 09.05.2001 wherein his date of birth was wrongly recorded as 18.02.1980 instead of 01.07.1982. Hence, he approached the respondent authorities for correction of date of birth, but the authorities informed him that once an entry is made in the passport it cannot be corrected and he has to obtain fresh passport. In view of the same, he invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution.

Learned Standing Counsel for the Central Government produced a circular No.VI/401/2/5/2001 dated 18.04.2001 issued by the Ministry of External affairs (PV-I Section) wherein certain guidelines were issued to the passport authorities for effecting change of date of birth / place of birth etc.

In view of the same, the petitioner is permitted to make an application seeking change of date of birth in the passport No.B-5386602, dated 09.05.2001 and on making such application, the respondent is hereby directed to receive the application of the petitioner and consider his case in the light of the Circular issued by the Ministry of External Affairs dated 18.04.2001 within a period of one month from the date of filing such application.

The writ petition is accordingly disposed of. No costs.

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A. Gopal Reddy, J

Date: 10.09.2004

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1. The Regional Passport Officer Clock Tower , Secunderabad
2. Two CD Copies